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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 10/757,071 Group Art Unit: 1734  
Filing Date: January 13, 2004 Examiner: Tadesse, Yewebdar T.  
Applicant(s): HEDDING, Matthew M. Atty. Docket: 43807.001  
Title: SPRAY BOX FOR APPLYING STAIN, PAINT, OR OTHER COATINGS TO BOARDS

RESPONSE TO OCTOBER 18, 2005 OFFICE ACTION  
(37 CFR §1.111)

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

In Response to the Office Action of March 7, 2005, reconsideration of the objections and/or rejections and further examination of the application are requested.

Petition for Extension of Time to Respond

The period for response is hereby extended TWO month(s) to expire August 7, 2005 by this Petition for a Two-Month Extension of Time. A PTO-2038 for the appropriate petition fee of \$225 (37 CFR §1.17) accompanies this Response.

I certify that this paper is being facsimile transmitted to the U.S. Patent and Trademark Office as follows:

1734

Group Art Unit

(571) 273-8300

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10-26-05

Date

Signature

REMARKS1. The Amendments and the Support Therefor

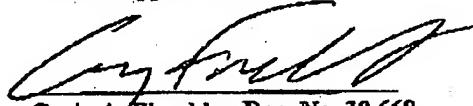
Claims 4, 6, 16, and 20 are amended to eliminate any question as to whether the claims meet the requirements of 35 USC §112(2). We submit that the claims met all requirements of 35 USC §112(2) even without the amendments, owing to the precepts noted in MPEP 2173.05(e) ("Lack of Antecedent Basis"):

[T]he failure to provide explicit antecedent basis for terms does not always render a claim indefinite. If the scope of a claim would be reasonably ascertainable by those skilled in the art, then the claim is not indefinite. *Ex parte Porter*, 25 USPQ2d 1144, 1145 (Bd. Pat. App. & Inter. 1992) ("controlled stream of fluid" provided reasonable antecedent basis for "the controlled fluid").

Here, the meanings of all claims (both before amendment and thereafter) were/are readily ascertainable by an ordinarily skilled artisan within a reasonable degree of certainty (MPEP 2173.02), and thus the requirements of 35 USC §112(2) were/are met. The amendments are nonetheless made because they do not substantively affect the claims. In any event, all claims should now be in condition for allowance.

If any questions regarding the application arise, please contact the undersigned attorney. Telephone calls related to this application are welcomed and encouraged. The Commissioner is authorized to charge any fees or credit any overpayments relating to this application to deposit account number 18-2055.

For the Applicant,



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